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2121

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/997,877	
		Filing Date	November 29, 2001	
		First Named Inventor	Earl, et al.	
		Group Art Unit	2121	
		Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission		7	Attorney Docket Number	2500082-991190

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Postcard Recorded Assignment
Remarks		

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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual name	LOHSE, TIMOTHY W. Gray Cary Ware & Freidenrich 1755 Embarcadero Road, Palo Alto, CA 94303
Signature	
Date	May 28, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents, Washington, DC 20231 on this date: MAY 28, 2002			
Typed or printed name	SUSAN PINGUE		
Signature		Date	May 28, 2002

1342
S. Hale

Attorney Docket No.: 2500082-991190

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Technology Center 2100

Applicant: EARL, et al.

Serial No. 09/997,877

Group Art Unit: 2121

Filed: November 29, 2001

Examiner: Not Yet Assigned

Title: FAULT TOLERANCE USING LOGICAL CHECKPOINTING IN
COMPUTING SYSTEMS

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(Revocation of Prior Power of Attorney)

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

Zambeel, Inc., the Assignee of the entire right, title and interest in the above-referenced patent application hereby revokes all previous and prior Powers of Attorney and hereby executes the following new Power of Attorney, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. 3.71.

NEW POWER OF ATTORNEY

Assignee hereby appoints Barry N. Young (Reg. No. 27,744); Timothy W. Lohse (Reg. No. 35,255); Steven R. Sprinkle (Reg. No. 40,825); Terrance A. Meador (Reg. No. 30,295); June M. Learn (Reg. No. 31,238); Hayward A. Verdun (Reg. No. 43,223); Lisa A. Halle (Reg. No. 38,347); Richard J. Imbra (Reg. No. 37,643); Mark L. Barrier (Reg. No. 35,066); Mark M. Takahashi (Reg. No. 38,631); James P. Cleary (Reg. No. 45,843); Karl A. Limbach (Reg. No. 18,689); Gerald T. Schimura (Reg. No. 30,103); John L. Adair (Reg. No. 48,828); Jacob Handy (Reg. No. 48,347); George R. Mayer (Reg. No. 35,284); Kelly Reynolds (Reg. No. 51,154); Emanuel J. Vacchiano (Reg. 43,964); Nan Wu (Reg. No. 43,360); George C. Limbach (Reg. No. 19,305); Ronald L. Yin (Reg. No. 27,607); Alan A. Limbach (Reg. No. 39,749); Edward B. Weller (Reg. No. 37,468); David Alberti (Reg. No. 43,465); Peter Leal (Reg. No. 24,226); Jenny Sung (reg. No. 48,639) as attorneys/agents with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

05/24/2002 13:56 FAX 650 320 7401

GCW&F#4

019

Attorney Docket N .: 2500082-991190

Assignment recorded in the United Patent Office on November 29, 2001,

Reel/Frame No. 012345/0697.

Please address all future communications regarding this application to:

PATENT DEPARTMENT
ATTN: Barry Young
GRAY CARY WARE & FREIDENRICH LLP
1755 Embarcadero Road
Palo Alto, California 94303

Please direct all telephone calls to *Attorney/Agent* at (650) 320-7439.

Dated May 24, 2002

Karl Schubert
Assignee: ZAMBEEL, Inc.

By: KARL SCHUBERT

Title: C.O.O.



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Palo Alto PTAS

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Washington, DC 20231
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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/29/2001

REEL/FRAME: 012345/0697

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

EARL, WILLIAM J.

DOC DATE: 11/29/2001

ASSIGNOR:

TOFANO, JEFF

DOC DATE: 11/29/2001

ASSIGNEE:

ZAMBEEL, INC.

45700 NORTHPORT LOOP EAST

FREMONT, CALIFORNIA 94538

SERIAL NUMBER: 09997877

FILING DATE: 11/29/2001

PATENT NUMBER:

ISSUE DATE:

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



12-10-2001



101911221

U.S. DEPARTMENT OF COMMERCE

ER SHEET

Patent and Trademark Office
Docket No. 514352000300

To the Commissioner of Patents and Trademarks: Please record the attached original documents and copy thereof.

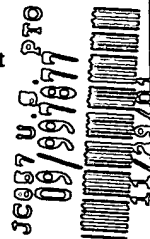
1. Name of conveying party(ies): 11-29-01
William J. EARL and Jeff TOFANO

- ☒ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☐ Corporation-State ☐ Other

Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

2. Name and address of receiving party(ies):

Name: Zambeel, Inc.
Internal Address: 45700 Northport Loop East
Street Address: (same as above)
City: Fremont
State: California
ZIP: 94538



3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other:

Execution Date: November 29, 2001

Additional name(s) & address(es) attached? ☐ Yes ☐ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is November 29, 2001

A. Patent Application No.(s) To Be Assigned
Additional numbers attached? ☐ Yes ☒ No

B. Patent No.(s)

09997877

5. Name and address of party to whom correspondence concerning document should be mailed:

Douglas G. Hodder
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018

6. Total number of applications and patents involved: One (1)

7. Total fee (37 C.F.R. § 3.41): \$40.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account, referencing
Attorney Docket 514352000300

8. Deposit account number: 03-1952

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 03-1952.

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name: Douglas G. Hodder
Registration No: 41,840

Signature

Date

NOV. 29, 2001

Total number of pages comprising cover sheet, attachments and document: Two (2)

Mail documents to be recorded with required cover sheet information to:

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Box Assignments
Crystal Gateway 4, Room 335
Washington, D.C. 20231

12/07/2001 MAILER 0000217 031952 09997877

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pa-646755

ASSIGNMENT JOINT

THIS ASSIGNMENT, by William J. EARL and Jeff V. TOFANO (hereinafter referred to as the assignors), residing at 28720 Big Basin Way Boulder Creek, CA 95006 and 1568 Dorsey Lane San Jose, CA 95120 respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in FAULT TOLERANCE USING LOGICAL CHECKPOINTING IN COMPUTING SYSTEMS, set forth in an application for Letters Patent of the United States filed herewith, having an oath or declaration executed on November 28, 2001; bearing Serial No. To B Assigned; and

WHEREAS, Zambeel, Inc., a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 45700 Northport Loop East, Fremont, California 94538 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

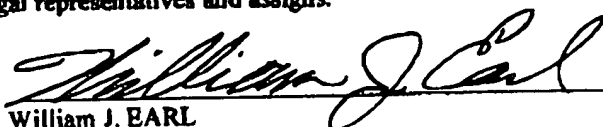
NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

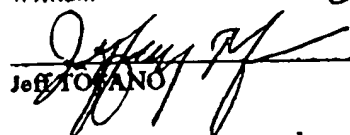
AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

29 Nov. 2001
Date


William J. EARL

29 Nov 2001
Date


Jeff TOFANO